

**SYNAPTIC  
PHARMACEUTICAL  
CORPORATION**

215 College Road, Paramus, New Jersey 07652-1431  
Telephone (201) 261-1331 Facsimile (201) 261-0623

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| <b>To:</b>  | Office of Initial Patent Examination's Filing Receipt Corrections |  |   |
| <b>From:</b>                                      | Stephen G. Kalinchak  |  |   |
| <b>Fax:</b>                                       | 703-746-9195  | <b>Total No. of Pages:</b>                     | 10  |
| <b>Phone:</b>                                     |   |  |   |
| <b>Date:</b>                                      | March 23, 2005  |  |   |
| <b>Docket No.:</b>                                | 59338-B-PCT-US  | <b>Application No.:</b>                        | 09/980,145  |
| <input checked="" type="checkbox"/> <b>Urgent</b> | <input checked="" type="checkbox"/> <b>For Review</b>             | <input type="checkbox"/> <b>Please Comment</b> | <input type="checkbox"/> <b>Please Reply</b> <input type="checkbox"/> <b>Please Recycle</b> |

**• Comments:**

Transmitted herewith please find:

Certificate of Transmission by Facsimile (37 C.F.R. §1.8) (1pg); Communication ~~X~~ to Correct Error in Filing Receipt (2pgs); Copy of Filing Receipt (2pgs); Declaration and Power of Attorney (4pgs);**NOTICE OF CONFIDENTIALITY**

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Docket No.  
59338-B-PCT-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: **Beth E. Borowsky, et al**

Group Art Unit: 1647

Application No.: 09/980,145

Examiner: **Fozia M. Hamud**

Filed: **April 12, 2002**

For: **DNA Encoding SNORF33 Receptor**

Date: **March 23, 2005**

**CERTIFICATE OF TRANSMISSION**  
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Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

**Communication to Correct Error in Filing Receipt (2pgs); Copy of Filing Receipt (2pg);  
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**Mary Johnson**

(Typed Or Printed Name Of Person Signing this Certificate)

(Signature)

Dkt.59338-B-PCT-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Beth E. Borowsky, et al  
Serial No.: 09/980,145  
Filed : April 12, 2002  
For : DNA ENCODING SNORF 33 RECEPTOR

215 College Road  
Paramus, New Jersey 07652  
March 23, 2005

Commissioner For Patents  
Office of Initial Patent Examination's  
Filing Receipt Corrections  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT**

This Communication is filed to request the issuance of a Corrected Filing Receipt in connection with the captioned application. Upon receipt of the Official Filing Receipt, a copy of which is transmitted herewith, applicants' undersigned attorney noticed an error. Applicants have marked the Official Filing Receipt to indicate the error. Specifically, the Domestic Priority data is incorrect in that Application 09/413,433 has been omitted from the Priority data.

A corrected Filing Receipt should read as follows:

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US00/14654 05/26/2000  
which is a CIP of 09/413,433 10/6/1999 ABN  
which is a CIP of 09/322,257 05/28/1999 ABN

Beth Borowsky, et al.  
Appln No: 09/980,145  
Filed: April 12, 2002  
Page 2

Applicants contend that the correct Domestic Priority data as claimed by the applicants, may be found in the Declaration and Power of Attorney filed April 4, 2002. A copy of the Declaration and Power of Attorney is transmitted herewith. Accordingly, applicants request that a corrected Filing Receipt be issued.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of such fee(s) to Deposit Account No. 50-3201.

Respectfully submitted,



Stephen G. Kalinchak, Esq.  
Registration No. 38,747  
Lundbeck Research USA, Inc.  
215 College Road  
Paramus, New Jersey 07652  
Phone: (201) 261-1331 ext. 540  
Fax: (201) 986-9106

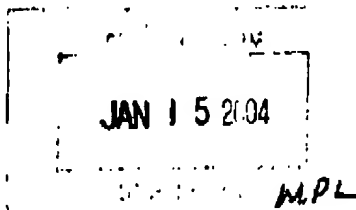


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Alexandria, Virginia 22315-1450  
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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FILE FEE REC'D | ATTY. DOCKET NO        | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|----------------|------------------------|----------|----------|----------|
| 09/980,145 | 04/12/2002                | 1655     | 564            | 59338-B-PCT-US/JPW/FHB | 28       | 34       | 1        |

John P White  
Cooper & Dunham  
1185 Avenue of the Americas  
New York, NY 10036



CONFIRMATION NO. 8082

## FILING RECEIPT



\*OC000000011669427\*

Date Mailed: 01/12/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Beth E Borowsky, Montclair, NJ;  
Kristine L Ogozalek, Rochelle Park, NJ;  
Kenneth A Jones, Belmont, MA;

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US00/14654 05/28/2000  
which is a CIP of 09/322,257 05/28/1999 ABN

WHICH IS A CIP OF  
09/413,433 10/6/1999 ABN

## Foreign Applications

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Dna encoding snorf33 receptor <sup>rdc</sup>

Preliminary Class

435

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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**NOT GRANTED**

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1795/5 38-B-PCT-US/JPW/FHB

**DECLARATION AND POWER OF ATTORNEY***As a below-named inventor, I hereby declare that:**My residence, post office address, and citizenship are as stated below next to my name.**I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:*

DNA ENCODING SNORF33 RECEPTOR

*the specification of which:  
(check one)*       *is attached hereto.*X *was filed on* November 28, 2001 *as*  
*National stage of*  
*Application Serial No.* 09/980,145, PCT/US00/14654, May 26, 2000  
*and was amended* November 28, 2001  
*(if applicable)**I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.**I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.**I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:*

| Prior Foreign Application(s) |         |             | Priority Claimed |    |
|------------------------------|---------|-------------|------------------|----|
| Number                       | Country | Filing Date | Yes              | No |
| PCT/US00/14654               | PCT     | 26 May 2000 | X                |    |
|                              |         |             |                  |    |
|                              |         |             |                  |    |
|                              |         |             |                  |    |

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**Declaration and Power of Attorney**

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

| <u>Provisional Application No.</u> | <u>Filing Date</u> | <u>Status</u> |
|------------------------------------|--------------------|---------------|
| N/A                                |                    |               |
|                                    |                    |               |
|                                    |                    |               |
|                                    |                    |               |
|                                    |                    |               |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|-------------------------------|--------------------|---------------|
| 09/322,257                    | 28 May 1999        | Abandoned     |
| 09/413,433                    | 6 October 1999     | Pending       |
| PCT/US00/14654                | 26 May 2000        | Pending       |
|                               |                    |               |
|                               |                    |               |
|                               |                    |               |

**And I hereby appoint**

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Millner (Reg. No. 33,970); Roberto T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Spencer H. Schneider (Reg. No. 45,923); Alan J. Morrison (Reg. No. 37,399); Alan D. Miller (Reg. No. 42,889); and Frank Bruno (Reg. No. 46,583)

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office, and to file any International Applications which are based



Page 3

## Declaration and Power of Attorney

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White

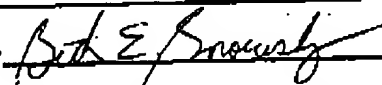
Reg. No. 28,678

Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Beth E. Borowsky

Inventor's signature



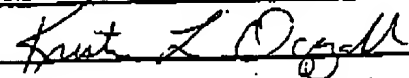
Citizenship United States of America Date of signature Dec 3, 01

Residence 218 Park Street, Montclair, New Jersey 07042

Post Office Address same as residence address

Full name of joint inventor (if any) Kristine L. Ogozalek

Inventor's signature



Citizenship United States of America Date of signature December 3, 2001

Residence 25 Durand Place, Rochelle Park, New Jersey 07662

Post Office Address same as residence address

Full name of joint inventor (if any) Kenneth A. Jones

Inventor's signature

Citizenship United States of America Date of signature

16 Van Ness Road, Belmont, Massachusetts 02478

## Declaration and Power of Attorney

Page 3

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White

Reg. No. 28,678

Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Beth E. Borowsky

Inventor's signature

Citizenship United States of America Date of signature

Residence 218 Park Street, Montclair, New Jersey 07042

Post Office Address same as residence address

Full name of joint inventor (if any) Kristine L. Ogozalek

Inventor's signature

Citizenship United States of America Date of signature

Residence 25 Durand Place, Rochelle Park, New Jersey 07662

Post Office Address same as residence address

Full name of joint inventor (if any) Kenneth A. Jones

Inventor's signature

Dec 4, 2001

Citizenship United States of America

Date of signature Dec 4, 2001